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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/605,622	10/14/2003	Sebastian Strauss	BMCA9159.230	2621
27062	7590 07/13/2004		EXAMINER	
BOMBARDIER RECREATIONAL PRODUCTS			HUYNH, HAI H	
LEGAL SERVICES - ST. BRUNO PO BOX 230 NORTON, VT 05907-0230			ART UNIT	PAPER NUMBER
			3747	

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Disposition of Claims Disp		Application No.	Applicant(s)					
## Deficie Action Summary ## Examiner Hail H. Huynh 3747 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. □ Entensions of time may be available under the provisions of 37 CPR 1.13(b). In no event, however, may a reply be timely filled □ the period for reply is a evaluable under the provisions of 37 CPR 1.13(b). In no event, however, may a reply be timely filled □ the period for reply to a evaluable under the provisions of 37 CPR 1.13(b). In no event, however, may a reply be timely filled □ the period for reply to a evaluable under the provisions of 37 CPR 1.13(b). In no event, however, may a reply be timely filled □ the period for reply to a evaluable under the provisions of the communication of the communica				\mathcal{N}				
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Office Action Summary

Application/Control Number: 10/605,622

Art Unit: 3747

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 1. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukui (5,293,076).

Fukui teaches an idle speed controller to increase the speed by adjusting the opening of the bypass valve 18 based on the battery charge level.

2. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Wind et al (5,998,881).

Wind et al teach an apparatus and method enables the engine idle to be set to the minimum necessary without discharging the battery.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai H. Huynh whose telephone number is (703) 306-9183. The examiner can normally be reached on Monday through Thursday from 7:30 am to 6:00 pm.

Art Unit: 3747

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai H. Huynh Examiner Art Unit 3747